

103^D CONGRESS
1ST SESSION

H. R. 230

To amend the Nuclear Waste Policy Act of 1982 to enhance the authority of States and Indian tribes to disapprove the provision by the Secretary of Energy of interim storage capacity for civilian spent nuclear fuel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. LAROCO introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Natural Resources

A BILL

To amend the Nuclear Waste Policy Act of 1982 to enhance the authority of States and Indian tribes to disapprove the provision by the Secretary of Energy of interim storage capacity for civilian spent nuclear fuel, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ENHANCED AUTHORITY OF STATES AND IN-**
2 **DIAN TRIBES TO DISAPPROVE PROVISION OF**
3 **INTERIM STORAGE CAPACITY FOR CIVILIAN**
4 **SPENT NUCLEAR FUEL.**

5 (a) IN GENERAL.—Section 135(d)(6) of the Nuclear
6 Waste Policy Act of 1982 (42 U.S.C. 10155(d)(6)) is
7 amended—

8 (1) in subparagraph (A)—

9 (A) by striking “an aggregate of 300 or
10 more metric tons of” each place it appears; and

11 (B) by striking “the provision of 300 or
12 more metric tons of” and inserting “the provi-
13 sion of”; and

14 (2) by striking subparagraphs (D) and (E) and
15 inserting the following:

16 “(D) If any notice of disapproval is submitted to the
17 Congress under subparagraph (A), the proposed provision
18 of storage capacity at the site involved shall be dis-
19 approved.”.

20 (b) CONFORMING AMENDMENT.—Section 135(d)(4)
21 of the Nuclear Waste Policy Act of 1982 (42 U.S.C.
22 10155(d)(4)) is amended in the last sentence by striking
23 “The process” and inserting “Except as provided in para-
24 graph (6), the process”.

1 **SEC. 2. EXPEDITED SCHEDULE FOR REMOVAL FROM IN-**
2 **TERIM STORAGE.**

3 Section 135(e) of the Nuclear Waste Policy Act of
4 1982 (42 U.S.C. 10155(e)) is amended by striking “3
5 years” and inserting “1 year”.

6 **SEC. 3. APPLICABILITY OF NOTICE AND DISAPPROVAL**
7 **PROVISIONS TO STORAGE UNDER PRIOR AU-**
8 **THORITY.**

9 Section 135 of the Nuclear Waste Policy Act of 1982
10 (42 U.S.C. 10155) is amended by adding at the end the
11 following new subsection:

12 “(j) APPLICABILITY TO STORAGE UNDER PRIOR
13 AUTHORITY.—The provisions of subsection (d)(6) shall
14 also apply to any additional storage capacity for civilian
15 spent nuclear fuel that is provided—

16 “(1) by the Secretary after the date of the en-
17 actment of this subsection at any Federal site;

18 “(2) pursuant to any provision of law other
19 than this section; and

20 “(3) pursuant to any agreement, contract, or
21 other obligation that—

22 “(A) was in effect before January 7, 1983;
23 and

24 “(B) authorizes or requires the Secretary
25 to provide such storage capacity on or after
26 such date.”.

